



Fuel and Electricity (Control) Act 1973

1973 CHAPTER 67

4 Power to relax statutory and contractual obligations, etc.

- (1) Any person supplying or using a substance to which this Act applies may, if authorised to do so by the Secretary of State by any general or special authority granted for the purpose, and while acting in accordance with that authority, disregard or fall short in discharging any obligation imposed by or under any enactment, or any contractual obligation, relating to or involving the supply or use of that substance.
- (2) At any time while [^{F1}an order in Council under section 3(1) of the ^{M1}Energy Act 1976] is in force the Secretary of State may grant, or enable any person to grant on his behalf, a general or special authority for the doing, during the whole or any part of the period for which the order is in force, of all or any of the things mentioned in the following paragraphs; and a person acting under and in accordance with such an authority may then—
 - (a) use, or cause or permit the use of, any vehicle on a road as a [^{F2}public service vehicle] without any licence, permit, agreement or consent otherwise required, and notwithstanding that the vehicle does not comply with regulations made under [^{F3}Article 66 of the Road Traffic (Northern Ireland) Order 1981] or with such of the regulations made under [^{F4}Article 28 of the Road Traffic (Northern Ireland) Order 1981] as would not apply to the vehicle if it were not so used;
 - (b) drive or act as conductor of a public service vehicle without being licensed to do so under [^{F5}Article 70 of the Road Traffic (Northern Ireland) Order 1981] or employ a person not so licensed to drive or act as conductor of any such vehicle;
 - (c) act, or cause or permit a person to act, as the driver of a passenger vehicle without complying with the requirements of [^{F6}Article 56 of the Road Traffic (Northern Ireland) Order 1981]
- (3) Her Majesty may by Order in Council make provision for modifying or excluding any obligation or restriction imposed, or extending any power conferred, by or under any enactment [^{F7}(other than a transferred enactment within the meaning of subsection (3A) below)] which directly or indirectly affects the supply or use of a substance to which this Act applies.

Changes to legislation: There are currently no known outstanding effects for the Fuel and Electricity (Control) Act 1973, Section 4. (See end of Document for details)

[^{F8}(3A) A Ministry of Northern Ireland may by order make provision for modifying or excluding any obligation imposed, or extending any power conferred, by or under any transferred enactment which directly or indirectly affects the supply or use of a substance to which this Act applies.

In this subsection “transferred enactment” means an enactment which, if it is, or had been, in force before the expiration of section 1 of the Northern Ireland (Temporary Provisions) Act 1972 (^f) may be, or might have been, amended by an Order in Council under subsection (3) of that section.

- (3B) Any order made under subsection (3A) above may be varied or revoked by a subsequent order and shall be subject to negative resolution within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954 (^g) as if it were a statutory instrument within the meaning of that Act.]
- (4) Without prejudice to the generality of subsection (3) above, an Order in Council under that subsection may make such provision for modifying an order under section 2 of the ^{M2}Counter-Inflation Act 1973 as appears to Her Majesty to be necessary or expedient for the purpose of [^{F9}price controls under the ^{M3}Energy Act 1976].
- (5) In the application of this Act to Northern Ireland the preceding provisions of this section shall apply with such modifications and adaptations as Her Majesty may by Order in Council specify.
- (6) Any Order in Council made under this section may be varied or revoked by a subsequent Order in Council and any statutory instrument by which such an Order is made shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Textual Amendments

- F1** Words substituted by [Energy Act 1976 \(c. 76\), Sch. 4 Pt. II para. 1\(a\)](#)
- F2** Words substituted by [S.I. 1973/2090, art. 2\(b\)](#)
- F3** Words substituted by [S.I. 1981/154 \(N.I. 1\), art. 220, Sch. 7 para. 16\(a\)\(i\)](#)
- F4** Words substituted by [S.I. 1981/154 \(N.I. 1\), art. 220, Sch. 7 para. 16\(a\)\(ii\)](#)
- F5** Words substituted by [S.I. 1981/154 \(N.I. 1\), art. 220, Sch. 7 para. 16\(b\)](#)
- F6** Words substituted by virtue of [S.I. 1981/154 \(N.I. 1\), art. 220, Sch. 7 para. 16\(c\)](#)
- F7** Words inserted by [S.I. 1973/2090, art. 2\(c\)](#)
- F8** [S. 4\(3A\)\(3B\)](#) inserted by [S.I. 1973/2090, art. 2\(d\)](#)
- F9** Words substituted by [Energy Act 1976 \(c. 76\), Sch. 4 Pt. II para. 1\(b\)](#)

Modifications etc. (not altering text)

- C1** [S. 4\(1\)\(2\)](#) amended by [S.I. 1973/2090, art. 2\(a\)\(b\)\(i\)](#)

Marginal Citations

- M1** [1976 c. 76.](#)
- M2** [1973 c. 9.](#)
- M3** [1976 c. 76.](#)

Changes to legislation:

There are currently no known outstanding effects for the Fuel and Electricity (Control) Act 1973, Section 4.